

Docket No.: 066778-0389

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	:	Customer Number: 41552
	:	
Carr, Daniel J., et al.	:	Confirmation Number: 3663
	:	
Application No.: 10/549,482	:	Group Art Unit: 1644
	:	
Filed: September 16, 2005	:	Examiner: Not Yet Assigned
	:	
For: METHODS FOR TREATING OCULAR INFLAMMATION BY NEUTRALIZING CXCL10 ACTIVITY		

**CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that this correspondence is being electronically-transmitted to the United States Patent and Trademark Office on **January 14, 2008.**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

/Carrie Hines/

Carrie Hines

**CORRECTION OF FILING RECEIPT**

Sir:

The Filing Receipt issued on October 5, 2007, does not list the correct name for one of the Applicants. The Applicants should read as follows:

Daniel J. Carr, Edmond, OK

Attached is a copy of the Filing Receipt with the changes noted thereon (Exhibit A). Attached is a copy of the Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 (Exhibit B). Applicants accordingly request that these corrections be made of record and that an amended Filing Receipt be issued.

10/549,482

No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge any fees to Deposit Account No. 502624. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

/Astrid R. Spain/

Astrid R. Spain  
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**Date: January 14, 2008**

**Please recognize our Customer No. 41552  
as our correspondence address.**



## UNITED STATES PATENT AND TRADEMARK OFFICE

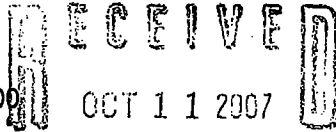
UNITED STATES DEPARTMENT OF COMMERCE  
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APPL NO.	FILING OR 371(c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLMS	IND CLMS
10/549,482	02/07/2007	1644	1090	066778-0389	45	4

41552

MCDERMOTT, WILL &amp; EMERY

4370 LA JOLLA VILLAGE DRIVE, SUITE 700  
 SAN DIEGO, CA 92122



CONFIRMATION NO. 3663

FILING RECEIPT



\*OC000000026163531\*

MCDERMOTT, WILL &amp; EMERY

Date Mailed: 10/05/2007

Receipt is acknowledged of this nonprovisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

## Applicant(s)

Thomas E. Lane, Irvine, CA;  
~~Daniel J. Carr~~, Edmond, OK;  
**Daniel J.**

**Power of Attorney:** The patent practitioners associated with Customer Number **41552**.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US03/23838 07/29/2003  
 which claims benefit of 60/456,028 03/17/2003  
 and claims benefit of 60/483,189 06/26/2003

## Foreign Applications

**If Required, Foreign Filing License Granted:** 10/04/2007

**The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is** **US10/549,482**

**Projected Publication Date:** 01/10/2008

**Non-Publication Request:** No

**Early Publication Request:** No

Exhibit A

**\*\* SMALL ENTITY \*\*****Title**

Methods for Treating Ocular Inflammation by Neutralizing Cxcl10 Activity

**Preliminary Class**

424

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

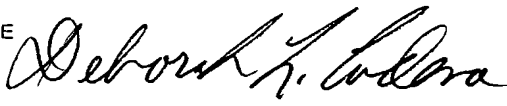
This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE <b>TRANSMITTAL LETTER TO THE UNITED STATES          DESIGNATED/ELECTED OFFICE (DO/EO/US)          CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER  066778-0389
INTERNATIONAL APPLICATION NO PCT/US2003/023838		INTERNATIONAL FILING DATE 29 July 2003 (29.07.2003)
TITLE OF INVENTION METHODS FOR TREATING OCULAR INFLAMMATION BY NEUTRALIZING CXCL10 ACTIVITY		U.S. APPLIC. NO. (if known, see 37 CFR 1.5) US03/23838
APPLICANTS FOR DO/EO/US LANE, Thomas E. and CARR, Daniel J.		PRIORITY DATE CLAIMED 17 March 2003 (17.03.2003)
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1.	<input checked="" type="checkbox"/>	This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.
2.	<input type="checkbox"/>	This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.
3.	<input type="checkbox"/>	This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4.	<input type="checkbox"/>	The US has been elected (Article 31).
5.	<input checked="" type="checkbox"/>	A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached herewith (required only if not transmitted by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)
6.	<input type="checkbox"/>	An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
7.	<input type="checkbox"/>	Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendment has NOT expired. d. <input type="checkbox"/> have not been made and will not be made.
8.	<input type="checkbox"/>	An English translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.	<input type="checkbox"/>	An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10.	<input type="checkbox"/>	An English translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
Items 11. to 16. below concern other document(s) or information included:		
11.	<input type="checkbox"/>	An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12.	<input type="checkbox"/>	An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13.	<input type="checkbox"/>	A preliminary amendment.
14.	<input type="checkbox"/>	An Application Data Sheet under 37 CFR 1.76.
15.	<input type="checkbox"/>	A substitute specification.
16.	<input type="checkbox"/>	A power of attorney and/or change of address letter.
17.	<input type="checkbox"/>	A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18.	<input type="checkbox"/>	A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19.	<input type="checkbox"/>	A second copy of the English translation of the International Application under 35 U.S.C. 154(d)(4).
20.	<input checked="" type="checkbox"/>	Other items or information. Form PCT/IB/308 dated 30 September 2005 and Return Postcard
<div style="text-align: center;"> <b>CERTIFICATE OF MAILING BY "EXPRESS MAIL"</b>  <b>"EXPRESS MAIL" MAILING LABEL NUMBER: EV 643845607 US      DATE OF DEPOSIT: September 16, 2005</b>          I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE, AND IS ADDRESSED TO: Mail Stop PCT, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, Virginia 22313-1450.       </div> <div style="margin-top: 10px;">          Sarah Nunez       </div>		

U.S. APPLIC. NO. (if known, see 37 CFR 1.50) US03/23838		INTERNATIONAL APPLICATION NO. PCT/US2003/023838		ATTORNEY'S DOCKET NUMBER 066778-0389	
				<b>CALCULATIONS</b>	PTO USE ONLY
21. <input checked="" type="checkbox"/> The following fees are submitted:					
<input checked="" type="checkbox"/> Basic National Stage Fee		\$300		\$300	
22. <input checked="" type="checkbox"/> Examination Fee					
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)		\$100		\$200	
All other situations		\$200			
23. <input checked="" type="checkbox"/> Search Fee					
Search fee (37 CFR 1.445(1)(2)) has been paid on the international application to the USPTO as an International Searching Authority		\$100		\$100	
International Search Report prepared and provided to the Office		\$400			
All other situations		\$500			
<b>TOTAL OF 21, 22 and 23 =</b>				<b>\$600</b>	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				\$0	
Total Sheets	Extra Sheets	Number of each additional 50 or fraction Thereof (round up to a whole number)	RATE		
90-100	0/50 =	0	X\$250	\$0	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$130	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	45-20 =	25	x \$50.00	\$1,250	
Independent Claims	4-3 =	1	x \$200.00	\$200	
Multiple dependent claim(s) (if applicable) None			+ \$360.00	\$0	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$2,180</b>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$1,090	
<b>SUBTOTAL =</b>				<b>\$1,090</b>	
Processing fee of \$130.00 for furnishing the English translation later than the 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$0	
<b>TOTAL NATIONAL FEE =</b>				<b>\$1,090</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$0	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$1,090</b>	
				Amount to be refunded	\$
				Amount to be charged	\$1,090
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>502624</u> in the amount of <u>\$1,090</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>502624</u>. A duplicate copy of this sheet is enclosed.</p> <p><b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b></p> <p>SEND ALL CORRESPONDENCE TO:  <b>Customer Number 41552</b>  Telephone: 858.535.9001  Facsimile: 858.597.1585</p> <div style="text-align: right;"> SIGNATURE   NAME  Deborah L. Cadena  REGISTRATION NUMBER: 44,048 </div>					

BASED ON FORM PTO-1390 (Rev. 2-2005)